



**Town of Surfside
Planning and Zoning Board Meeting
MINUTES
February 29, 2024
6:00 PM
Town Commission Chambers**

1. Call to Order/Roll Call

Chair Baumel called the meeting to order at 6:02 p.m.

Former Deputy Town Clerk Herbello called the roll with the following members of the public present:

Present: Chair Carolyn Baumel, Vice Chair David Forbes, Board Member Ruben Bravo, Board Member Jonathan Edderai, Board Member Lindsey Lecour and Alternate Board Member Andrew Bales.

Also Present: Town Attorney Tony Recio, Town Planner Judith Frankel, Consultant Town Planner Walter Keller, Commission Liaison Commissioner Fred Landsman and Town Manager Hector Gomez.

2. Town Commission Liaison Report

Commission Liaison Commissioner Fred Landsman provided his Commission Liaison Report. He thanked the Board Members for their service during these last 2 years. He also thanked the Town Planners, Building Official and staff.

A motion was made by Vice Chair Forbes to move item 4D (9466 Harding Avenue) before item 4A (8935 Froude Avenue) and item 7A (Design Guidelines Update) in front of item 5A (Amending Section 90-74 - "Temporary Signs"), seconded by Board Member Bravo. The motion carried with a 5-0 vote.

Chair Baumel asked if any of the Board Members would like to speak regarding their time serving on the Board.

All the Board Members thanked everyone, staff and Town Attorneys and were honored in the time they served.

3. Approval of Minutes

3.A January 18, 2024 Planning and Zoning Board Meeting Minutes - Sandra N. McCready, Town Clerk

A motion was made by Vice Chair Forbes to approve the January 18, 2024 Planning and Zoning Board Meeting Minutes, seconded by Board Member Lecour. The motion carried with a 5-0 vote.

[January 18, 2024 Planning and Zoning Board Meeting Minutes.pdf](#)

4. Applications

Town Attorney Recio read his quasi-judicial statement into the record.

Former Deputy Clerk Herbello swore in all the members of the public and applicants that will be speaking tonight on all applications.

Town Attorney Recio asked Former Deputy Clerk Herbello if all applicable applications met notice requirements.

Former Deputy Clerk Herbello confirmed notice requirements were met.

Town Attorney Recio polled the members of the Board for any ex-parte communication.

None of the Board Members had ex-parte communication.

4.A 8935 Froude Avenue - New Single-Family House - Judith Frankel AICP, Town Planner

Staff finds this application for a new single-family home meets the zoning code. The Planning and Zoning Board should determine whether the new home is "consistent with and in conformance with the design guidelines set forth in the Town Code". Staff recommends approval with the following conditions:

- Front facade window glass may not be darkly tinted.
- Pervious area calculation must be consistent on the Landscape Plan and site Plan. A separate permit is required for the Landscape Plan at the time of Building permit application.
- Outdoor lighting plan compliant with Ordinance No.24-1767 must be provided at the time of Building permit application.
- A grading and drainage plan (with appropriate retaining wall) must be provided to comply with Ordinance No.24-1769 at the time of Building permit application.
- Pool, driveway and fences must apply for separate permitting.

Town Planner Frankel introduced the item and provided an overview of the application.

Building Official McGuinness provided his staff recommendations as follows: 1) Amend Sheet A2.1 to show the correct main living area Finish Floor Elevation (FFE) of 10'-0" NGVD. 2) Amend Sheet A2.1 to show the correct elevation of the garage in NGVD. 3) Amend Sheet A2.1 to provide flood vents in the garage at a rate of 1 square inch of net open area for each square foot of floor area vented. Vents must

be no more than 12 inches above grade with a minimum of two vents located on opposing walls. 4) Amend the elevation plans to locate the bottom of the HVAC equipment at or above 10'-0" NGVD. 5) Please provide a Pre-Construction Elevation Certificate at time of building permit application.

Alternate Board Member Bales asked regarding the E-Glass if it is allowed. He asked the limit of what is dark and what is not dark.

Town Planner Frankel stated the design guidelines, and they will be updating those guidelines, but it is not specified in the zoning code, but it is in the design guidelines and provided an explanation.

Board Member Lecour asked regarding the landscaping and the minimum rear set back.

Town Planner Frankel stated the code only requires 20% landscape in the back yard and as long as they are getting to the overall 35% they are fine.

Chair Baumel asked regarding the design guidelines and the actual glass and is favorable with the change with allowing a darker tint to the window to exist and explained the issues she has encountered. She also stated that would help bring down their electricity bill.

Alternate Board Member Bales would be against reflective glass and spoke regarding having the standards of what dark is in the code.

Town Planner Frankel stated what the guideline states.

Discussion among the Board Members took place regarding the tint of the glass, the efficiency of the home and the design guidelines as it pertains to the application and site plans.

Yoann Andreu, architect, spoke on the project and addressed the questions from the Board Members.

Chair Baumel opened the floor to public comments.

There were no public speakers.

Chair Baumel closed the floor to public comments.

Discussion among the Board Members, Town Planner and architect took place regarding the elevation, glass, reflection, tint and roof proofing materials.

A motion was made by Board Member Lecour to approve the application with staff recommendations, seconded by Board Member Edderai. The motion carried with a 3-2 vote with Board Member Bravo and Vice Chair Forbes voting in opposition.

[8935 FROUDE AVE Plans Set](#)

[Attachment A: Images and Zoning Tables](#)

4.B 8841 Garland Avenue - Addition - Judith Frankel AICP, Town Planner

Staff finds this application for a front addition, rear addition, and rear terrace meets the zoning code. The Planning and Zoning Board should determine whether the new additions are "consistent with and in conformance with the design guidelines set forth in the Town Code". Staff recommends approval with the following conditions:

- The existing accessory structure is demolished prior to the application for a building permit.
- The additional space must have a FFE equaling the existing FFE for the home.
- The proposed pool, driveway and fence must be permitted separately. Pervious lot coverage will be verified at permitting.

Town Planner Frankel introduced the item and provided an overview of the application.

Building Official McGuinness provided his staff recommendations as follows: 1) A FEMA 50% Rule Analysis will be performed at time of building permitting using the Miami-Dade County Tax Appraiser's valuation unless a professional appraisal is provided.

Board Member Bravo asked if the request is for the front and the not the back.

Town Planner Frankel stated it is for both.

Board Member Lecour thought they did not have to come to the Board for rear additions.

Chair Baumel stated it is changing the front entrance facade.

Vice Chair Forbes stated that he does not see a rendering of the back.

Valeria Lorens, architect, explained the project and stated it is a small house.

Board Member Lecour asked regarding the south elevation.

Ms. Lorens stated the owners want a larger master bedroom.

Chair Baumel appreciates them keeping the original house. She stated that a flat roof is cheaper and they could put skylights.

Chair Baumel opened the floor to public comments.

There were no public speakers.

Chair Baumel closed the floor to public comments.

A motion was made by Board Member Lecour to approve the application with staff recommendations, seconded by Vice Chair Forbes. The motion carried with a 5-0 vote.

[Attachment A: Images and Zoning Tables.pdf](#)

4.C 9472 Byron Avenue - New Single-Family Home - Judith Frankel AICP, Town Planner

Staff finds this application for a new single-family home generally meets the zoning code with the exception of the F.A.R. calculation. The proposed home as represented in the submitted plans package, has an F.A.R. of 0.75, which exceeds the maximum F.A.R. of 0.72. This represents approximately 190 SF that would need to be reduced. This may be a calculation error, but it must be resolved. Staff recommends deferral of the application to allow the applicant to reduce the F.A.R. At this time the Planning and Zoning Board may determine whether the new home is "consistent with and in conformance with the design guidelines set forth in the Town Code". Once the F.A.R. concern is resolved, staff would recommend approval with the following conditions:

- Height of the decorative parapet and mechanical equipment on the roof must be provided.
- Dimensions for the entry overhand and roof trim must be provided to demonstrate compliance with 90-47.1.
- Outdoor lighting plan compliant with Ordinance No.24-1767 must be provided at the time of Building permit application.
- A grading and drainage plan (with appropriate retaining wall) must be provided to comply with Ordinance No.24-1769 at the time of Building permit application.
- A Landscape Permit is required.
- Pool, driveway and fences must apply for separate permitting.

Town Planner Frankel introduced the item and provided an overview of the application. She is recommending deferral on this item due to the Floor Area Ratio (FAR) calculations. She stated that once the FAR is resolved they would recommend approval with staff recommendations.

Building Official McGuinness provided his staff recommendations as follows: 1) Provide an elevation mark on Sheet A-03 First Floor Plan locating the Finish Floor Elevation (FFE) of the main living area at or above 10'-0". Provide floor elevations for levels other than the main living area: i.e. pool deck and other porch areas.

Dewey Blaststone, architect, provided the FAR calculations and an overview of the project.

Board Member Lecour spoke regarding the discrepancy of the FAR calculations.

Discussion among the Board Members, the architect and staff took place regarding the discrepancy of the FAR calculations.

Chair Baumel opened the floor to public comments.

The following individual from the public spoke:
Kacy Woods spoke against the project and the giant homes being built.

Chair Baumel closed the floor to public comments.

The Board Members addressed the comment made by the public speaker.

A motion was made by Board Member Lecour to defer the item to the next meeting, March 28, 2024, seconded by Board Member Edderai. The motion carried with a 5-0 vote.

[Attachment A: Images and Zoning Tables](#)

[Application](#)

[9472 Byron Plans Set](#)

[9472 Byron Ave Landscape Plan](#)

4.D 9466 Harding Avenue - Wall Sign - Judith Frankel AICP, Town Planner

Staff recommends approval with the following condition:

- All illumination must be white.

Town Planner Frankel introduced the item and provided an overview of the application.

Ingrid Cariajo, representing the applicant introduced the item as it relates to the lumens of the sign.

Chair Baumel opened the floor to public comments.

There were no public speakers.

Chair Baumel closed the floor to public comments.

A motion was made by Board Member Lecour to approve the application with staff recommendations, seconded by Vice Chair Forbes. The motion carried with a 5-0 vote.

[9466 Harding Plan Set](#)

[9466 Harding Survey](#)

5. Ordinances

A motion was made by Board Member Lecour to move item 5C (Comprehensive Plan Update (Local Planning Agency Item)) before item 5A (Amending Section 90-74- "Temporary Signs"), seconded by Board Member Bravo. The motion carried with a 5-0 vote.

5.A Amending Section 90-74. - "Temporary Signs" - Judith Frankel AICP, Town Planner

Town Administration recommends that the Planning and Zoning Board discuss the proposed changes and make a recommendation to approve for Town Commission's second reading.

Former Deputy Clerk Herbello read the title of the ordinance into the record.

Town Planner Frankel introduced the item.

Chair Baumel opened the floor to public comments.

The following individual from the public spoke:
Mark Blumstein

Chair Baumel closed the floor to public comments.

A motion was made by Board Member Lecour to recommend to the Town Commission to approve the ordinance on second reading, seconded by Vice Chair Forbes. The motion carried with a 5-0 vote.

[Ord Amend Sec. 90-74 Temporary Real Estate Signs](#)

5.B Roof Replacement Materials in the Single-Family Residential Area - Judith Frankel AICP, Town Planner

Town Administration recommends approval of this ordinance to allow homeowners to re-roof with their existing roofing material.

Former Deputy Clerk Herbello read the title of the ordinance into the record.

Town Planner Frankel introduced the item.

Building Official McGuinness provided his staff recommendations as follows: 1) The proposed changes are to replace antiquated language in our LDC. For example, our old code refers "flat" roofs which are prohibited by the Florida Building Code. All roofs must have a slope for positive drainage of stormwater. While low slope roofs may appear to be flat, they actually have and are required by the FBC to have a minimum (nominal) slope of 2% (1/4inch per foot). This language change corrects this misnomer in our code. 2) The addition of TPO (membrane roof coverings) is to acknowledge a commonly used code compliant type of roof covering for low slope roofs which are usually located in the rear of the home covering a porch or lanai area. I recommend adding the following caveat under 6(c) line 66: If the low slope (flat) roof is located in the rear of the home and is not visible from the street then it is exempt from P and Z Board review/approval.

Chair Baumel opened the floor to public comments.

There were no public speakers.

Chair Baumel closed the floor to public comments.

A motion was made by Vice Chair Forbes to recommend to the Town Commission to approve the ordinance on second reading, seconded by Board Member Lecour. The motion carried with a 5-0 vote.

[Ord Amend 14-31 and 90-50.1 of Code Re-Roof Replacement with Same Materials](#)

5.C Comprehensive Plan Update (Local Planning Agency Item) - Judith Frankel

AICP, Town Planner

Town Administration asks the Planning and Zoning Board, sitting as the Local Planning Agency (LPA), to review the proposed updates to the Town' Comprehensive Plan. The LPA may suggest revisions and provide comments if desired or recommend transmittal to the Town Commission with any comments or recommendations.

Item was heard before item 5A (Amending Section 90-74 - "Temporary Signs").

Former Deputy Clerk Herbello read the title of the ordinance into the record.

Consultant Town Planner Keller (Marlin Engineering) provided an overview and amendments to the item.

Board Members asked Mr. Keller regarding the numbers as it relates to the housing elements.

Town Attorney Recio addressed some concerns, and he reiterated this is a state mandated process that has to be done every 7 years and what needs to be identified. He stated that lately the State has gotten stricter with the deadlines.

Board Member Bravo asked what would happen if they do not adhere to the deadlines.

Town Attorney Recio stated that they would be out of compliance and that is not a good thing to be in. He further spoke regarding the land use element and the terms of the definition of water and spoke regarding that language.

Board Member Lecour asked if Point Lake is included and its entrances and asked if the clarification can be added.

Discussion among the Board Members, staff and Town Attorney took place regarding the specifics of the plan and additions to the text regarding Point Lake as well.

Consultant Town Planner Keller addressed the comments made.

Chair Baumel opened the floor to public comments.

The following individuals from the public spoke:

Mark Blumstein asked if any of this would trigger a Section 4 referendum.

George Kousoulas spoke regarding the timing of this is quite awkward and stated it is best for the new commission to be the initial and final review. He spoke regarding the Tennis Center parcel.

Carly Koshel, Bercow & Radell, spoke regarding the additional protections as it relates to the canals.

Chair Baumel closed the floor to public comments.

Town Attorney Recio stated that nothing is being rezoned in this process. This is

setting the policy and outer boundaries of potential developments. He stated the two rezoning would be Veteran's Park (Tennis Center) and 96th Street Park. It is for public recreation purposes.

Discussion took place among the Board Members, Town Attorney and staff regarding the language change to public recreation purposes as well as the density and height of development.

Vice Chair Forbes addressed the comments made by Mr. Kousoulas and does not appreciate the comments he made. He stated that Town Planner Keller has a very detailed plan for the Commission to start the discussion and review.

Board Member Lecour would like clarification on the height issue and the drainage language that needs revision in this document and reads a bit outdated. Her recommendation is to revisit Section 4 and bring it up to date and cleaning up some of the existing language.

Town Planner Keller stated that the drainage issue is more involved than the comprehensive plan and addressed the comments made by Mr. Blumstein. He stated the drainage issue is very complicated and the purpose of the comprehensive plan is more general.

Town Attorney Recio explained the process of submittal of this comprehensive plan after the Commission approves at first reading.

Chair Baumel asked if this height is the number provided in the comprehensive plan.

Town Attorney Recio stated it is already in the comprehensive plan and he addressed the comments made by Board Member Baumel.

After a lengthy discussion regarding the specifics of the comprehensive plan, the following motion was made.

A motion was made by Vice Mayor Forbes to recommend to the Town Commission to move forward with approving this ordinance on first reading with all the comments made including the changes discussed regarding the water and drainage, seconded by Board Member Edderai. The motion carried with a 3-2 vote with Board Member Bravo and Board Member Lecour voting in opposition.

[Attachment A: 2018 Comprehensive Plan](#)

[Attachment B: Comp Plan EAR Update and Summary](#)

[Ordinance Amending Town Comp Plan Adopting EAR Amendments - P&Z](#)

[Exhibit A1: 1 Future Land Use](#)

[Exhibit A2: 3 Housing 2024](#)

[Exhibit A3: 4 Infrastructure Element 2024](#)

[Exhibit A4: Water Supply Work Plan 2024-Appendix to Infrastructure](#)

[Exhibit A5: 5 Coastal Management Element 2024](#)

[Exhibit A6: 7 Recreation and Open Space 2024](#)

[Exhibit A7: 9 Capital Improvements Element 2024](#)

Exhibit A8: 11 Property Rights Elements 2024

6. Next Meeting Date

Former Deputy Clerk Herbello advised the Board Members that the next meeting will be March 28, 2024.

Town Attorney Recio stated that the code states that this current Board continues to serve until a new Board is appointed or until the April meeting.

Consensus was reached to hold the next meeting on March 28, 2024.

7. Discussion Items

7.A Design Guidelines Update - Judith Frankel, AICP, Town Planner

This item was heard before item 5A (Amending Section 90-74 - "Temporary Signs").

Consultant Town Planner Keller and Laura Castaridi (Marlin Engineering) introduced the item and provided an update on the Design Guidelines.

Town Planner Frankel brought up some of the issues with the corner lots.

Discussion took place among the Board Members and Marlin Engineering regarding the suggested design guideline updates that includes parking and the issues currently being encountered.

Town Planner Frankel stated that in about two weeks they would send them a draft of the document for their review and input.

Chair Baumel opened the floor to public comments.

The following individual from the public spoke:
George Kousoulas spoke on the item.

Chair Baumel closed the floor to public comments.

No action was taken by the Board.

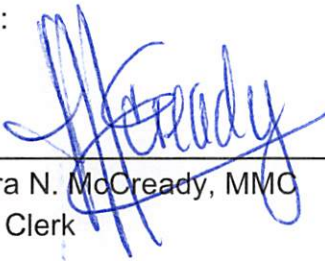
8. Adjournment

There being no further business to discuss before the Board, a motion was made by Vice Chair Forbes to adjourn the meeting at 9:27 p.m., seconded by Board Member Edderai. The motion carried with a 5-0 vote.

Accepted this 25th day of April, 2024.

Chair 

Attest:


Sandra N. McCready, MMC
Town Clerk